

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA
ex rel. DANIEL MOY,

Plaintiff,

v.

A C PHARMACY CORP., JENNAN
COMPREHENSIVE MEDICAL, P.C.,
MAGGIE CHEN, AMANDA Y. HON,
JOHN HON, SI CI ZHU, JOHN
DZAAN-HONG CHING, WISELY LIU,
FLORENCE MUI, HENRY CHEN, M.D.,
YANHAN HUANG, M.D., JOHN YIU,
M.D., TINA WONG, M.D., PUI-CHING
MAK, QING XIANG HUANG, XING
LIAN CHEN, JACKY LEE, and
RICHARD SHADRIN,

Defendants.

Civil No. 15-CV-5486

STIPULATION AND ORDER

(Gonzalez, J.)
(Merk1, M.J.)

WHEREAS, on or about September 22, 2015, Daniel Moy (the “Relator”) filed the above-referenced action, in which Relator asserted claims on behalf of the United States pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. §§ 3729-33 (the “FCA”);

WHEREAS, in accordance with 31 U.S.C. § 3730(b), Relator’s complaint was sealed for a period of at least sixty days from the date of filing;

WHEREAS, the Court most recently extended the seal through August 26, 2024;

WHEREAS, the United States requests that the Complaint, this Stipulation and Order, and all subsequent filings in this action be unsealed;

WHEREAS, the United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended;

WHEREAS, in order for the United States to have time to adequately investigate and evaluate the allegations contained in Relator's complaint, the United States, with the consent of Relator's counsel, respectfully requests that its time to intervene in this action be extended until further order of the Court, and at least until February 26, 2025;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the undersigned counsel for Relator and the United States that:

1. In order to allow the United States time to investigate and evaluate the allegations contained in Relator's complaint, the United States shall have until further order of the Court, and at least until February 26, 2025, to determine whether to elect to intervene in the above-captioned *qui tam* action,
2. The extension of time to elect to intervene shall be deemed for the benefit of the State of New York as well as for the United States,
3. The seal shall be lifted upon the Complaint,
4. All other contents of the Court's file in this action shall remain under seal and not be made public, except for this Stipulation and Order,
5. The seal shall be lifted as to all other matters occurring in this action after the date of this Stipulation and Order, and

6. The Clerk of the Court shall provide the United States Attorney's Office, Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York 11201, Attn: Tsz Ting Tam with a copy of this fully executed order to Tsz.Ting.Tam@usdoj.gov.

Dated: Brooklyn, New York
August 30, 2024

BREON PEACE
UNITED STATES ATTORNEY
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201

By: /s/ Tsz Ting Tam
Tsz Ting Tam
Assistant U.S. Attorney
(718) 254-6284
Tsz.Ting.Tam@usdoj.gov

Dated: New York, New York
LLP
August 30, 2024

ALLEGAERT BERGER & VOGEL

111 Broadway, 20th Floor
New York, New York 10006

By: /s/ John S. Craig
John S. Craig
(212) 571-0550

SO ORDERED:

Brooklyn, New York
September 3, 2024

/s/ Hector Gonzalez
HONORABLE HECTOR GONZALEZ
United States District Judge, E.D.N.Y